

MATTHEW G. MONFORTON
Montana State Bar No. 5245
MONFORTON LAW OFFICE, PLLC
32 Kelly Court
Bozeman, Montana 59718
Telephone: (406) 570-2949
Facsimile: (406) 551-6919
E-mail: matthewmonforton@yahoo.com

DAVID P. CLAIBORNE
[Idaho State Bar No. 6579]
SAWTOOTH LAW OFFICES, PLLC
Golden Eagle Building
1101 W. River St., Ste. 110
Boise, Idaho 83702
Telephone: (208) 629-7447
Facsimile: (208) 629-7559
E-mail: david@sawtoothlaw.com

Attorneys for Applicants for Intervention

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
(MISSOULA DIVISION)

**CENTER FOR BIOLOGICAL
DIVERSITY, *et al.*,**

Plaintiffs,

vs.

DEB HAALAD, *et al.*,

Defendants;

and

Lead Case No. CV 20-181-M-DWM

Member Case No. CV 20-183-M-
DWM

**DECLARATION OF DAVID P.
CLAIBORNE IN SUPPORT OF
MOTION FOR *PRO HAC VICE***

STATE OF IDAHO, an Idaho
nonprofit corporation;

Defendant-Intervenor;

and

**IDAHO STATE SNOWMOBILE
ASSOCIATION, INC.**, an Idaho
nonprofit corporation; **IDAHO
RECREATION COUNCIL, INC.**, an
Idaho nonprofit corporation;
**COLORADO SNOWMOBILE
ASSOCIATION**, a Colorado nonprofit
organization; **BACKCOUNTRY
SLED PATRIOTS**, a Montana
nonprofit organization; **CITIZENS
OFR BALANCED USE**, a Montana
nonprofit organization; **UNITED
SNOWMOBILE ALLIANCE**, a New
Hampshire nonprofit organization;
**AMERICAN COUNCIL OF
SNOWMOBILE ASSOCIATIONS**, a
Michigan nonprofit organization; **OFF
ROAD BUSINESS ASSOCIATION**,
a California nonprofit organization;
**COLORADO OFF HIGHWAY
VEHICLE COALITION**, a Colorado
nonprofit organization; **TRAILS
PRESERVATION ALLIANCE**, a
Colorado nonprofit organization;
**UNITED FOUR WHEEL DRIVE
ASSOCIATION**, a California
nonprofit organization;
**CLEARWATER COUNTY BOARD
OF COMMISSIONERS**, a political
subdivision of the State of Idaho;
**IDAHO COUNTY BOARD OF
COMMISSIONERS**, a political
subdivision of the State of Idaho;

BONNER COUNTY BOARD OF COMMISSIONERS, a political subdivision of the State of Idaho;
VALLEY COUNTY BOARD OF COMMISSIONERS, a political subdivision of the State of Idaho;
ADAMS COUNTY BOARD OF COMMISSIONERS, a political subdivision of the State of Idaho;
LINCOLN COUNTY BOARD OF COMMISSIONERS, a political subdivision of the State of Montana;
MINERAL COUNTY BOARD OF COMMISSIONERS, a political subdivision of the State of Montana;
RAVALLI COUNTY BOARD OF COMMISSIONERS, a political subdivision of the State of Montana;

Applicants for Intervention.

Pursuant to L.R. 83.1(d), I, David P. Claiborne, hereby respectfully request to appear *pro hac vice* on behalf of Intervenor-Applicants – **IDAHO STATE SNOWMOBILE ASSOCIATION, INC.**, an Idaho nonprofit corporation; **IDAHO RECREATION COUNCIL, INC.**, an Idaho nonprofit corporation; **COLORADO SNOWMOBILE ASSOCIATION**, a Colorado nonprofit organization; **BACKCOUNTRY SLED PATRIOTS**, a Montana nonprofit organization; **CITIZENS OFR BALANCED USE**, a Montana nonprofit organization; **UNITED SNOWMOBILE ALLIANCE**, a New Hampshire nonprofit organization; **AMERICAN COUNCIL OF SNOWMOBILE**

ASSOCIATIONS, a Michigan nonprofit organization; **OFF ROAD BUSINESS ASSOCIATION**, a California nonprofit organization; **COLORADO OFF HIGHWAY VEHICLE COALITION**, a Colorado nonprofit organization; **TRAILS PRESERVATION ALLIANCE**, a Colorado nonprofit organization; **UNITED FOUR WHEEL DRIVE ASSOCIATION**, a California nonprofit organization; **CLEARWATER COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Idaho; **IDAHO COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Idaho; **BONNER COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Idaho; **VALLEY COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Idaho; **ADAMS COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Idaho; **LINCOLN COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Montana; **MINERAL COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Montana; **RAVALLI COUNTY BOARD OF COMMISSIONERS**, a political subdivision of the State of Montana. I declare the following under penalty of perjury as follows:

1. I am a resident of the State of Idaho and my office address is Sawtooth Law Offices, PLLC, 1101 W. River Street, Suite 110, Boise, Idaho,

83702. My office telephone number is 208-629-7447 and my email address is david@sawtoothlaw.com.

2. The local counsel that I am associated with has paid the *pro hac vice* admission fee along with the filing of this declaration and accompanying motion supporting this application to appear *pro hac vice*.
3. I am proficient in electronic filing in the U.S. District Court for the District of Idaho, and am registered with the CM/ECF system for the U.S. District Court for the District of Idaho, as well as in other federal jurisdictions in which I practice. I will promptly register with the District of Montana's CM/ECF system if my limited admission is granted.
4. I have been admitted to practice in the following courts: Supreme Court of the State of Idaho and all lower courts (admitted 2002); U.S. District and Bankruptcy Courts for the District of Idaho (admitted 2002); U.S. District Court for the District of Colorado (admitted 2007); U.S. Court of Appeals for the Ninth Circuit (admitted 2009); Supreme Court of the State of Washington and all lower courts (admitted 2012); U.S. Court of Federal Claims (admitted 2015). I have never had an admission to any court terminated.
5. I am in good standing and eligible to practice in the above listed courts.

6. I am not currently, nor have I ever been, suspended or disbarred in any court.
7. I have never been held in contempt, otherwise disciplined by any court for disobedience of its rules or orders, or sanctioned under Fed. R. Civ. P. 11 or 37(b), (c), (d), or (f) or any state equivalent.
8. I have not previously applied for *pro hac vice* admission in this court. I have been previously admitted *pro hac vice* in the U.S. District Court for the District of Hawai'i. That case is no longer active.
9. I understand that *pro hac vice* admission in this Court is personal to me only and is not admission of a law firm and that I will be held fully accountable for the conduct of the litigation in this Court. In accordance with Mont. R. Prof. Conduct 8.5, I certify that I will be bound to the Montana Rules of Professional Conduct in my practice of law in the State of Montana for the purposes of the above-captioned matter—except as to Rules 6.1 through 6.4—and will be subject to the disciplinary authority of the State of Montana. I have complied with Mont. R. Prof. Conduct 8.5 by sending a letter to the State Bar of Montana certifying that I will be bound to the Montana Rules of Professional Conduct in my practice of law for the purposes of the above-captioned matter—except as to Rules

6.1 through 6.4—and will be subject to the disciplinary authority of the State of Montana.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

DATED this 30th day of August, 2021.

SAWTOOTH LAW OFFICES, PLLC

____/s/ *David P. Claiborne*____
by: David P. Claiborne

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the following on this 30th day of August, 2021, by the following method:

AMANDA DALMENDRAY GALVAN
TIMOTHY J. PRESO
EARTHJUSTICE LEGAL DEFENSE
FUND – BOZEMAN

313 East Main Street

Bozeman, MT 59715

Telephone: (406) 586-9699

Facsimile: (406) 586-9695

Email: agalvan@earthjustice.org;

tpreso@earthjustice.org

*Attorneys for Center for Biological Diversity,
Conservation Northwest, Defenders of
Wildlife, Friends of the Clearwater, Greater
Yellowstone Coalition, Idaho Conservation
League, Jackson Hole Conservation Alliance,
Klamath-Siskiyou Wildlands Center, Rocky
Mountain Wild and Sierra Club*

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KAMELA A. CASCHETTE

RANDY J. TANNER

U.S. DEPARTMENT OF JUSTICE

Environmental & Natural Resources Div.

Ben Franklin Station

PO Box 7611

Washington, DC 20044-7611

Telephone: (202) 305-0340

Facsimile: (202) 305-0275

Email: kamela.caschette@usdoj.gov;

randy.tanner@usdoj.gov

*Attorneys for Scott de la Vega, Martha
Williams, United States Fish and Wildlife
Service*

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**OWEN H. MORONEY
IDAHO OFFICE OF THE ATTORNEY
GENERAL**

2117 North 17th Street

Boise, ID 83702

Telephone: (208) 287-2875

Facsimile (208) 334-2148

Email: owen.moroney@idfg.idaho.gov

Attorneys for State of Idaho

☐ U.S. First Class Mail, Postage Prepaid

☐ U.S. Certified Mail, Postage Prepaid

☐ Federal Express

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by: /s/ Matthew G. Monforton
Matthew G. Monforton